

JOHN ABBOTT.

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JUNE 2, 1898.—Committed to the Committee of the Whole House and ordered to be printed.

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Mr. CUMMINGS, from the Committee on Naval Affairs, submitted the following

REPORT.

[To accompany H. R. 10233.]

The Committee on Naval Affairs, to whom was referred the bill (H. R. 10233) for the relief of John Abbott, submit the following report:

John Abbott enlisted in Company E, Ninety-ninth New York Volunteers, May 28, 1861, served three years, and was discharged July 2, 1864. He reenlisted March 31, 1865, in the United States Navy and served on the U. S. S. *Tahoma* as second-class fireman. The war ended in April, 1865. The crew of the *Tahoma* was transferred to the receiving ship *Ohio*, then in Boston Harbor, to be mustered out and discharged. Abbott was given a leave of absence for eight days and left the *Ohio* with the understanding that he was to be advised by one of his shipmates when to return to be mustered out and paid off. His shipmate advised him in time, but the letter miscarried. Meanwhile the crew had been paid off and discharged. Because of his failure to report in time Abbott was reported as a deserter. He had not the slightest idea of deserting and did not realize the risk he was taking in leaving on the eve of muster out.

All these facts are incorporated in an affidavit. The Navy Department, in reviewing the case, simply gives the record of Abbott's service in the Navy as it stands on the books. It says:

Abbott enlisted in the Navy at Brooklyn, N. Y., March 31, 1865, as a second-class fireman, for three years; served on board the U. S. steamships *North Carolina*, *Tahoma*, and *Ohio*, and deserted from the last-named vessel August 26, 1865. The question whether or not such relief should be granted the applicant would appear to be a matter for the determination of the Congress.

Believing that the facts in the case are as stated in the affidavit, herewith appended, of Mr. Abbott, the committee respectfully recommend the passage of the bill.

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STATE OF NEW YORK, *County of Kings*, ss:

In the matter of John Abbott's request for the removal of charge of desertion.

Personally came before me, a commissioner of deeds in and for the aforesaid city and State of New York, John Abbott, aged 58 years, citizen of New York City, 813 Greenwich street, county of New York, State of New York, well known to me to be

reputable and entitled to credit, and who, being duly sworn, declares in relation to aforesaid case as follows:

That he enlisted in Company E, Ninety-ninth New York Volunteers, May 28, 1861, and served three years; was honorably discharged July 2, 1864.

Reenlisted March 31, 1865, in the United States Navy and served on U. S. S. *Tahoma* as second-class fireman. He left the naval service in August, 1865, under the following circumstances: The war ended in April, 1865, and the crew of the *Tahoma* were transferred to the receiving ship *Ohio*, then in Boston Harbor, to be mustered out and discharged.

Abbott was given a leave of absence for eight days and left the *Ohio* with the understanding that he was to be advised by one of his shipmates when to return to be mustered out and paid off.

His shipmate advised him in time but the letter miscarried, and meanwhile the crew had been paid off and discharged. In consequence of his failure to report in time he was reported as a deserter.

He further states that he had not the slightest idea of deserting and did not realize the risk he was taking in leaving on the eve of muster out.

He therefore prays that the charge may be removed and his record made clear.

JOHN ABBOTT.

RICHARD H. BRIODY.

MARY T. HASLAM.

Sworn to and subscribed before me this day by the above-named affiant; and I certify that I read said affidavit to said affiant and acquainted him with its contents before he executed the same. I further certify that I am in nowise interested in said case, nor am I concerned in its prosecution, and that said affiant is personally known to me; that he is a credible person and so reputed in the community in which he resides.

Witness my hand and official seal this 26th day of May, 1898.

[SEAL.]

JOHN W. HASLAM, *Commissioner of Deeds.*

